

From The District Of New Mexico
In The United States District Court

Victor Apodaca,
Plaintiff

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

FEB - 4 2013

MATTHEW J. DYKMAN
CLERK

Vs

State Of New Mexico
Adult Probation And Parole
Wesley Hatley And Susan
Pautler et, al, in their
individual and official capacity,
Defendants

CV-13-113

Complaint

This is a Civil Rights complaint pursuant to 42 USC § 1983 against the defendants in the above caption. For deprivation of the plaintiffs Federal Constitutional Rights under the 4th and 8th. Acting in under color of law and acting State Law which does entitle the Plaintiff to relief for violation of Constitutional Rights is support;

Jurisdiction Venue

The courts Jurisdiction is hereby invoked pursuant to 28 USC § (1341), 48 USC 1983 U.S. Citizen and cause of action arose in the State of New Mexico.

Complaint

On September 7, 2012 the Defendants Wesley Hatley and Susan Pavtler of the Adult Probation and Parole did a home visit of plaintiff Victor Apodaca. Wes Hatley took it upon himself to open and enter in the resident without permission or a warrant. The home belonging to Misty Apodaca and Amanda Bibbs, even though probation officers have the right to a limited search they should not have entered without permission of plaintiff or the home owners. The defendants violated not only State Laws also the 4th Amendment to the Constitution. The whole search was illegal.

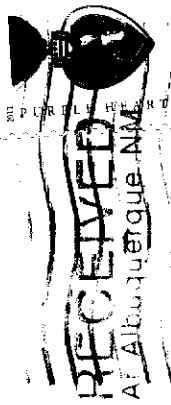
While I was arrested in handcuffs on the ground Defendants Wesley Hatley used excessive force by kneeling down on my legs, and bending my knees forcing my ankles to my buttocks. As a result he completely tore my ACL and fully tore my Meniscus along with other medical injuries to my knee. I repeatedly requested for medical aid on scene but was denied. I was then shackled and forced in a Clovis Police Car being told to shut the f---k up then transported to Curry County Adult Detention Center. Wesley Hatley inflicted cruel and unusual punishment.

Relief Sought

Due to Constitutional Rights and State Laws
Plaintiff prays this Honorable Court would allow a
trial and the sum of \$90,000 from each defendant
or what this Court deems just or proper.

By: *Vesterfunder*
pro se Victor Apodaca,

Victor Apodaca
801 Mitchell
Albuquerque NM
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FEB 04 2013

MATTHEW J. DYKMAN
CLERK

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District of New Mexico
Office of the Clerk
Suite 270

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Albuquerque, New Mexico 87102
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